

**STATE BOARD OF MIDWIFERY**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 1/31/2020**

**BOARD MEMBERS PRESENT:** Valerie J Hall - Chair  
Elizabeth Hartman  
Carol Johnson  
Amy B Redman

**BUREAU STAFF:** Kelley Packer, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Lori Peel, Investigative Unit Manager  
Nicholas Krema, General Counsel  
Rob McQuade, Legal Counsel  
Cesley Metcalfe, Board Specialist  
Eric Nelson, Board Prosecutor

**OTHERS PRESENT:** Sharon Fritz, Health and Welfare

The meeting was called to order at 9:30 AM MST by Valerie J Hall.

**APPROVAL OF MINUTES**

Ms. Hartman made a motion to approve the minutes of November 14, 2019. It was seconded by Ms. Johnson. Motion carried.

**[COMPLAINT MEMORANDUM](#)**

Ms. Peel gave the investigative report, which is linked above.

**CONTINUING EDUCATION CREDITS FOR SUICIDE PREVENTION WORKSHOPS**

Ms. Packer introduced Sharon Fritz from the Department of Health and Welfare who gave a presentation regarding demographics of suicide rates within the state of Idaho. She stated that workshops in mental health first aid would teach licensees how to identify and respond to issues related to mental health. Ms. Hartman made a motion to approve continuing education credits for workshops relating to mental health issues and suicide prevention and to post them on the Board's website. It was seconded by Ms. Johnson. Motion carried.

## **EXECUTIVE SESSION**

Ms. Johnson made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Ms. Hartman. The vote was: Ms. V. Hall, aye; Ms. Hartman, aye; Ms. Johnson, aye; and Ms. Redman, aye. Motion carried.

Ms. Hartman made a motion to come out of executive session. It was seconded by Ms. Johnson. Motion carried.

## **FOR BOARD DETERMINATION**

Ms. Johnson made a motion to release Denise Midstokke from probation in case MID-2016-1. It was seconded by Ms. Redman. Motion carried.

Ms. Peel presented a proposed letter for the Board to send to licensees who report having received a misdemeanor DUI conviction. The Board discussed the letter. No action was taken.

## **LAWS AND RULES**

Ms. Packer presented a legislative update. The Board directed Bureau staff to send a letter to the Idaho Midwifery Council the next time laws and rules are brought to the legislature that informs the council of the timelines for when the laws and rules will take effect.

Ms. Johnson moved the following:

Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of this rule is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens.

These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws.

The expiration of these rules without due consideration and processes would undermine the public health, safety and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules.

The Governor has also found that the fees being imposed are justified and necessary to avoid immediate danger to the Idaho Board of Midwifery's budget, to the state budget, to necessary state functions and services, and to avoid immediate danger of a potential violation of Idaho's constitutional requirement that it balance its budget.

Therefore, we are adopting this temporary rule to be effective upon *sine die* of the 2020 session of the Idaho Legislature. The approval is conditional and will only become effective if the rules are not otherwise approved or rejected by the Legislature and/or not extended pursuant to the Idaho Administrative Procedure Act, including Sections 67-5291 and 67-5292, Idaho Code.

It was seconded by Ms. V. Hall. Motion carried.

Ms. Johnson made a motion to designate Ms. Hartman as the legislative designee for the Bureau and the Board. It was seconded by Ms. Redman. Motion carried.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of (\$22,967.00) as of December 31, 2019.

## **BUREAU BUSINESS**

The Board reviewed the 2018 Birth Statistics Report and no action was taken.

The Board reviewed the To Do List and no action was taken.

## **BOARD BUSINESS**

## **CORRESPONDENCE**

The Board reviewed correspondence from the Idaho Psychiatric Association regarding transgender health care in Idaho. The Board was informed by Bureau staff that the correspondence was forwarded to the Idaho Midwifery Council. No further action was taken.

**NEXT MEETING** was scheduled for March 18, 2020 at 9:30 AM MDT.

## **ADJOURNMENT**

Ms. Johnson made a motion to adjourn the meeting at 12:43 PM MST. It was seconded by Ms. Hartman. Motion carried.